

Senate Bill No. 2184

CHAPTER 185

An act to amend Section 8043 of the Fish and Game Code, relating to commercial fishing.

[Approved by Governor July 18, 1998. Filed with
Secretary of State July 20, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2184, McPherson. Commercial fishing: landing receipts.

Existing law requires every commercial fisherman who sells or delivers fish that he or she has taken to a person who does not hold a commercial fish business license or a specialty license, and every fish receiver, as specified, to make a legible record in the form of a landing receipt on a form furnished by the Department of Fish and Game. Existing law specifies the information to be included on the landing receipt.

This bill would make technical changes to those provisions. In addition, the bill would require the landing receipt to be completed at the time of the receipt, purchase, or transfer of the fish, whichever occurs first. The bill would also require the numbered landing receipt forms in each landing receipt book to be completed sequentially. The bill would provide that a voided fish landing receipt shall have the word "VOID" written on the face of the receipt, as specified, and shall be submitted to the department in the same manner that a completed fish landing receipt is submitted to the department. Under the bill, a fish receiver who is no longer conducting business as a licensed receiver would be required to forward all unused landing receipts and books to the department immediately upon terminating his or her business activity.

The people of the State of California do enact as follows:

SECTION 1. Section 8043 of the Fish and Game Code is amended to read:

8043. (a) Every commercial fisherman who sells or delivers fish that he or she has taken to any person who is not licensed under Article 7 (commencing with Section 8030), and every person who is required to be licensed under Article 7 (commencing with Section 8030) to conduct the activities of a fish receiver, as described in Section 8033, shall make a legible landing receipt record on a form to be furnished by the department. The landing receipt shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first.

(b) The landing receipt shall show all of the following:

(1) The accurate weight of the species of fish received, as designated pursuant to Section 8045. Sablefish may be reported in dressed weight, and if so reported, shall have the round weights computed, for purposes of management quotas, by multiplying 1.6 times the reported dressed weight.

(2) The name of the fisherman and the fisherman's identification number.

(3) The department registration number of the boat.

(4) The recipient's name and identification number, if applicable.

(5) The date of receipt.

(6) The price paid.

(7) The department origin block number where the fish were caught.

(8) The type of gear used.

(9) Any other information the department may prescribe.

(c) The numbered landing receipt forms in each individual landing receipt book shall be completed sequentially. A voided fish landing receipt shall have the word "VOID" plainly and noticeably written on the face of the receipt. A voided fish landing receipt shall be submitted to the department in the same manner as a completed fish landing receipt is submitted to the department. A fish receiver who is no longer conducting business as a licensed receiver shall forward all unused landing receipts and landing receipt books to the department immediately upon terminating his or her business activity.

